

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 PA-01 PRS-01 SS-15 L-03

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC 1453

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E.O. 11652: N/A

TAGS: EAIR, UK

SUBJECT: PROGRESS REPORT ON CHARTER DISCUSSIONS WITH UK

REF: LONDON 3789

1. SUMMARY. WORKING GROUP AND PLENARY MEETINGS MARCH 8 AND 9 RESPECTIVELY PRODUCED CONSIDERATION THEN REJECTION US OFFER TO LIMIT GENERAL PUBLIC ABC SUBSTITUTION TO 3 1/3 PERCENT DURING FINAL 14 DAYS, WITH 7 DAY MINIMUM DURATION. UKDEL REMAINS WILLING TO "BUILD A BRIDGE BETWEEN US AND ECAC" BUT INSISTS THERE MUST BE SOME COMPROMISE MORE RESTRICTIVE NOT LESS RESTRICTIVE THAN 14 DAY SUBSTITUTION CUT-OFF, 8 DAY MINIMUM DURATION 45 DAY AFFINITY BOTH CHAIRMEN HAD CONSIDERED TAKING BACK TO THEIR RESPECTIVE INTERESTED PARTIES AT END OF DECEMBER TALKS ON GROUNDS THERE IS NO POSSIBILITY ECAC WOULD ACCEPT LESS. END SUMMARY

2. A FOLLOW-UP MEETING TO THAT HELD MARCH 4 TOOK PLACE IN ROGERS' OFFICE AFTERNOON MARCH 8. USDEL TABLED PROPOSAL TO LIMIT ABC GENERAL PUBLIC SUBSTITUTION DURING FINAL 14 DAYS TO 3 1/3 PERCENT OF PASSENGERS IN EACH GROUP WITH OVERALL LIMIT 10 PERCENT GENERAL PUBLIC, LIMITED OFFICIAL USE

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10 PERCENT STANDBY. CONSULTATION WOULD BE HELD NO LATER THAN DECEMBER 1977 TO EXAMINE ANALYZED DATA ON FINAL 14 DAYS GENERAL PUBLIC SUBSTITUTION FOR SIX MONTH APRIL-SEPTEMBER PERIOD WITH EXPLORATION OF NEED FOR FURTHER RESTRICTION IF SUCH SUBSTITUTION EQUALLED MORE THAN ONE-HALF OF ONE PERCENT OF SCHEDULED SERVICE TRAFFIC OR WITH TERMINATION OF RESTRICTION IF SUCH

SUBSTITUTION AMOUNTED TO LESS THAN ONE QUARTER OF ONE PERCENT OF SCHEDULED SERVICE TRAFFIC. USDEL FURTHER PROPOSED 7 DAY MINIMUM DURATION FOR BOTH US AND UK ORIGINATIONS, LATTER PROMPTED BY DESIRE FOR COMMONALITY OF RULES, DECLINE IN UK ORIGINATING MARKET FOR 1977, AND ABSENCE OF UK ORIGINATING FLIGHTS BY TWO BRITISH CHARTER CARRIERS. BILLER CHARACTERIZED WHAT USDEL HAD PUT TOGETHER AS A FORMULATION WHICH WOULD PERMIT A DEGREE OF SUBSTITUTION DURING PRE-FLIGHT PERIOD OF GREATEST CONCERN TO UK TO ALLOW IT A FAIR TRIAL, HAVE BUILT-IN PROTECTION FOR SCHEDULED SERVICES, HAVE A TESTING DEVICE, AND BE TIED TO DATA ANALYSIS SO NOTHING WAS ARBITRARY.

3. ROGERS SEEMED IMPRESSED BY USDEL PROPOSAL ON SUBSTITUTION. HE REJECTED ANY 7 DAY UK ORIGIN ABC FOR THIS UNDERSTANDING. HE THEN PROBED FOR POSSIBLE US MOVEMENT TOWARD MORE RESTRICTIVE CONDITIONS ON ABC MINIMUM DURATIONS AND RESURRECTION OF 45 DAY AFFINITY PRELISTING TO OFFSET MORE LIBERAL SUBSTITUTION. WHAT HE CLEARLY AND REPEATEDLY INDICATED HE WAS DOING WAS TRYING TO FIND A PACKAGE DEAL SOMEWHAT MORE RESTRICTIVE THAN WHAT HE CLAIMED THE UK WAS UNABLE TO GAIN ECAC'S APPROVAL OF IN JANUARY, I.E., NO ABC SUBSTITUTION AFTER 14 DAYS, 8 DAY MINIMUM ABC DURATION, 45 DAY AFFINITY.

4. BILLER AGREED USDEL PROPOSAL WAS LESS RESTRICTIVE THAN WHAT THE DELEGATIONS HAD CONSIDERED TAKING BACK TO THEIR RESPECTIVE INTERESTED AUTHORITIES IN DECEMBER LIMITED OFFICIAL USE

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BUT MAINTAINED IT WAS A MOVE TOWARD ECAC INSOFAR AS THE ECAC POSITION MIGHT REFLECT A SINCERE CONCERN FOR SCHEDULED SERVICES. ROGERS RESPONDED THAT HE HAD TO DEAL WITH PEOPLE IN ECAC WHO SAY WHY NOT LEAVE THINGS AS THEY ARE, I.E., WITH A UNILATERALLY IMPOSED BAN ON ALL SUBSTITUTION AND 10 TO 14 DAY MINIMUM DURATIONS. ROGERS SAID UK WOULD LIKE TO BUILD A BRIDGE BETWEEN EUROPE AND US AND WOULD TRY TO DO SO IF HE COULD GET A PACKAGE WHICH WAS MORE RESTRICTIVE THAN THAT REJECTED BY ECAC IN JANUARY.

5. BILLER SAID WE'VE GONE AS FAR AS WE CAN. WE MADE SUBSTANTIAL CONCESSIONS TO BEGIN WITH. WE BELIEVE THERE IS NO REAL CAUSE FOR CONCERN. THE UK COULD TELL ECAC WE HAVE DATA WHICH WOULD LESSEN THEIR CONCERN. BOTH THE US AND UK WOULD BE BETTER OFF WITH THE MEMORANDUM OF UNDERSTANDING, BUT NOT AT THE EXPENSE OF

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ACCEEDING TO WHAT IS AN ARBITRARY POSITION COMPARED TO
THE USDEL PROPOSAL.

6. ROGERS THEN SAID THAT HIS PEOPLE WHO HAD ATTENDED
AN ECAC MEETING LAST WEEK REPORTED THAT ECAC IS EVEN
MORE SET IN OPPOSITION TO US ABC RULE CONDITIONS. HE
SAID HE NEEDED A PACKAGE WHICH WOULD APPEAR TO ECAC AS
SOMETHING NEW. HE THEN SUGGESTED WE TRY CONSIDERING
THE US SUBSTITUTION PROPOSAL WITH A 10 DAY WINTER 14
DAY SUMMER MINIMUM DURATION. BILLER REJECTED THAT
SAYING WE SEE A NEW MARKET FOR ONE WEEK ABCS. ROGERS
RESPONDED THAT IT IS GOING TO BE 10 AND 14 ANYWAY.
BILLER THEN QUESTIONED WHY WE SHOULD AGREE TO IT IF WE
ARE GOING TO HAVE IT FORCED UPON US ANYWAY TO WHICH
ROGERS RESPONDED "IN ORDER TO GET THE SUBSTITUTION YOU
WANT". BILLER REPLIED HE WOULD NOT RECOMMEND TO CAB
ANY PACKAGE CONTAINING THE 10 AND 14 MINIMUM DURATIONS
AND SUGGESTED ROGERS TALK OVER THE USDEL PROPOSAL WITH
HIS PEOPLE OVERNIGHT.

7. DURING THE FIRST SUBSEQUENT PLENARY MEETING OF THE
DELEGATION AFTERNOON MARCH 9 SHOVELTON RAISED CHARTERS
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FOR 1977 AS THE FIRST AGENDA ITEM AND HAD ROGERS RESPOND TO THE USDEL PROPOSAL. ROGERS CHARACTERIZED THE MARCH 8 MEETING RESULTS AS "ANTI-PROGRESS". BILLER RESPONDED THAT ON THE CONTRARY USDEL PROPOSAL WAS SIGNIFICANT MOVE FORWARD. SHOVELTON SAID ROGERS' JUDGMENT WAS CORRECT. HE COULD NOT HOPE TO TAKE THE US PROPOSAL TO ECAC MARCH 31 AND GAIN ECAC APPROVAL. HE HAD TRIED TO BUILD A BRIDGE BETWEEN US AND ECAC BUT PRESENTLY SAW NO ALTERNATIVE TO A NON-AGREEMENT CHARTER SITUATION FOR 1977. HE HOPED WE WON'T ALLOW CHARTER DISAGREEMENTS TO MUDDY OUR ROUTE TALKS.

8. BOYD RESPONDED THAT US HAS DONE EVERYTHING IT CAN TO SATISFY EUROPE'S LEGITIMATE INTERESTS AND HAD BEEN OPTIMISTIC ABOUT UK REACTION TO OUR COMPROMISE PROPOSAL. WE CANNOT HAVE A FAIR TEST OF OUR ABC CONDITIONS IF WE ARE NOT ALLOWED TO IMPLEMENT THEM. ROGERS SAID EUROPE WANTS TO TEST THEM WITHOUT SUBSTITUTION AND LEFT OPEN THE POSSIBILITY FOR FURTHER TALKS IF US PREPARED TO MAKE FURTHER MOVE TOWARD EUROPE.

9. USDEL PLANS TO MEET MORNING OF MARCH 10 TO DECIDE NEXT STEP.

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